

# CANDIDATE FILING GUIDE

FOR 40<sup>TH</sup> STATE SENATE SPECIAL ELECTION  
MARCH 12, 2013

COMPILED AND DISTRIBUTED BY:  
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# **Information Sheet Qualifications and Requirements**

## **Member of the State Senate, 40th District Special Election**

The Governor issued the proclamation for a special **GENERAL** election to be held on **May 14, 2013**. The date of the special **PRIMARY** election is scheduled for **March 12, 2013**.

The date of the special primary election is calculated by counting back nine Tuesdays preceding the day of the special general election at which the vacancy is to be filled.

§ 10704(a)<sup>1</sup>

### **I. QUALIFICATIONS**

Every candidate shall:

- A. Be a U.S. citizen<sup>2</sup> Cal. Const., art. IV, § 2(c)
- B. Be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person. § 201
- C. Not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes. § 20
- D. Not have served two terms in the State Senate since November 6, 1990. Cal. Const., art. IV, § 2(a)(1) & (4)

### **II. REQUIREMENTS**

#### **A. CAMPAIGN FILINGS AND RESPONSIBILITIES**

Any individual who intends to be a candidate for an elective state office shall:

##### **1. Candidate Intention Statement**

File with the Secretary of State's Political Reform Division a Candidate Intention Statement (Form 501) for the specific state office sought. A separate Form 501 must be filed for each election, including re-election to the same office. This statement shall be signed under penalty of perjury and filed prior to the solicitation or receipt of any contribution or loan, including expenditures made from personal funds used for campaign purposes. Gov. Code § 85200

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<sup>1</sup> All code section references are to the California Elections Code unless stated otherwise.

<sup>2</sup> Article IV, section 2(c), of the California Constitution requires a one-year residency in the legislative district and three years residency in California; however, it is the legal opinion of this office that these provisions violate the U.S. Constitution and are unenforceable.

2. Campaign Contribution Account

- a. A Statement of Organization—Recipient Committee (Form 410) shall be filed with the Secretary of State's Political Reform Division within 10 days of qualifying as a committee by receiving contributions totaling \$1,000 or more in a calendar year. Gov. Code §§ 82013(a), 84101
- b. Establish one campaign contribution account at an office of a financial institution located in California after filing the Candidate Intention Statement. Gov. Code § 85201(a)
- c. All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate's controlled committee shall be deposited in the account. Gov. Code § 85201(c)
- d. Any personal funds, which will be used to promote the election of the candidate, shall be deposited in the account prior to expenditure. Gov. Code § 85201(d)
- e. All campaign expenditures shall be made from the account. Gov. Code § 85201(e)

3. Exceptions

- a. Parts 1 and 2(c) and (d), above, do not apply to a candidate's payment of a filing fee and statement of qualifications fee from his or her personal funds. Gov. Code §§ 85200, 85201(f)
- b. Part 2, above, does not apply if the candidate does not receive contributions and makes campaign expenditures from personal funds of less than \$1,000 in a calendar year, excluding payment of the filing fee and statement of qualifications fee. Gov. Code § 85201(g)
- c. An individual who raises contributions from others for his or her campaign, but who raises or spends less than \$1,000 in a calendar year, shall establish a campaign contribution account but is not required to file a Statement of Organization or other statement of bank account information. Gov. Code § 85201(h)

B. FILING FEES

1. Full Payment of Filing Fee

Every candidate must pay a filing fee equal to 1% of the first year salary as of the first day on which a candidate may circulate petitions in-lieu of filing fees. Currently, the filing fee is \$905.26. The filing fee must be paid to the county elections official at the time the candidate obtains the nomination papers from the county elections official.

§§ 8103(a)(3), 8105

2. Signatures In-Lieu of Filing Fee

A candidate may choose to submit by **January 11, 2013**, a minimum of 3,000 valid signatures on petitions in-lieu of filing fees. §§ 8106(a)(2) & (b)(3), 10704(a)

- a. Petitions for in-lieu signatures may be obtained from the county elections official and circulated between **January 7, 2013**, and **January 11, 2013**. Sections of petitions for in-lieu signatures shall be filed with the county elections official of the county in which the signers reside. § 8106
- b. The candidate may submit signatures to cover all or any prorated portion of the filing fee. § 8106(b)(3)
- c. Any registered voter may sign an in-lieu-filing-fee petition for any candidate for whom he or she is eligible to vote. § 8106(b)(1)
- d. Each circulator of an in-lieu-filing-fee petition shall be a registered voter of the district in which the candidate is running. The circulator shall serve within the county in which he or she resides. § 8106(b)(4)<sup>3</sup>
- e. Within **4** days after receipt of the petition, the county elections official shall notify the candidate of any deficiency. The candidate shall then, on or before **January 15, 2013**, either submit a supplemental petition containing additional signatures or pay a pro rata portion of the filing fee to cover the deficiency. § 8106(b)(3)
- e. Signatures in lieu of the filing fee may be counted toward the nomination sponsor signature requirements. § 8106(d)

### Signature In-Lieu of Filing Fee Requirements

§ 8106(a)(2)

<u>Candidates</u>	<u>Filing Fee</u>	Signatures In-Lieu of <u>Filing Fee</u>	Value of Each <u>Signature</u>
All Candidates (except write-in candidates)	\$905.26	3,000	\$0.301753

### C. BALLOT DESIGNATIONS

Each candidate who submits a ballot designation shall file a completed ballot designation worksheet that supports the use of that ballot designation by the candidate. The ballot designation worksheet shall be filed with the elections official at the same time that the candidate files his or her declaration of candidacy. § 13107.3

<sup>3</sup> The U.S. Supreme Court has struck down statutes that require petition circulators to be registered voters. (Buckley v. American Constitutional Law Foundation, Inc. (1999) 525 U.S. 182.) Other federal courts have struck down statutes that require petition circulators to reside within the state or locality affected by a petition, especially where requiring circulators to submit to jurisdiction by agreement would achieve the same end and would be more narrowly tailored to further the state's interest in preventing fraud. (See, e.g., Nader v. Brewer (9th Cir. 2008); Krislov v. Rednour (7th Cir. 2000) 226 F.3d 851; Lerman v. NYC Board of Elections (2d Cir. 2000) 232 F.3d 135; and Chandler v. Arvada (10th Cir. 2002) 292 F.3d 1236.) The Secretary of State is constitutionally constrained from declaring a state statute invalid, and Elections Code section 8106, subdivision (b), subsection (4) has not been declared unconstitutional by any state or federal court in California. However, given the similarities between this statute and the provisions struck down in the foregoing cases, the Secretary of State does not recommend or support the enforcement of this statute against any petition circulator, especially where the petition circulator agrees to submit to local jurisdiction.

#### D. STATEMENT OF ECONOMIC INTERESTS

Each candidate must file a Statement of Economic Interests with the county elections official disclosing investments, interests in real property, and any income received during the immediately preceding 12 months pursuant to the requirements of the Political Reform Act of 1974, As Amended. Gov. Code §§ 87200, 87201

This statement is to be filed by **January 18, 2013**. It is not required if the candidate has filed such statements within the past 60 days for the same jurisdiction.

Gov. Code § 87201

#### E. FOR ALL CANDIDATES (EXCEPT WRITE-IN CANDIDATES)

1. Between **January 9, 2013**, and **January 18, 2013**, obtain nomination documents from the county elections official of the candidate's county of residence. Nomination documents include nomination papers for collecting signatures and a Declaration of Candidacy that must be executed by the candidate.  
§§ 333, 8040, 8041, 10704(a);  
January 7, 2013, was the Proclamation date
2. Nomination Papers
  - a. Gather between 40 and 60 signatures for filing the nomination papers.  
§ 8062(a)(2)
  - b. Signatures on the in-lieu filing fee petitions may satisfy the signature requirement.  
§ 8061
  - c. Any candidate may obtain signatures to and sign his or her own nomination papers.  
§ 106(a)
  - d. All signers must be registered voters in the district or political subdivision in which the candidate is to be voted on.  
§§ 100, 8068
  - e. The candidate may appoint persons to circulate the nomination papers. Circulators shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision.  
§ 8066<sup>4</sup>

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<sup>4</sup> The U.S. Supreme Court has struck down statutes that require petition circulators to be registered voters. (Buckley v. American Constitutional Law Foundation, Inc. (1999) 525 U.S. 182.) Other federal courts have struck down statutes that require petition circulators to reside within the state or locality affected by a petition, especially where requiring circulators to submit to jurisdiction by agreement would achieve the same end and would be more narrowly tailored to further the state's interest in preventing fraud. (See, e.g., Nader v. Brewer (9th Cir. 2008); Krislov v. Rednour (7th Cir. 2000) 226 F.3d 851; Lerman v. NYC Board of Elections (2d Cir. 2000) 232 F.3d 135; and Chandler v. Arvada (10th Cir. 2002) 292 F.3d 1236.) The Secretary of State is constitutionally constrained from declaring a state statute invalid, and Elections Code section 8066 has not been declared unconstitutional by any state or federal court in California. However, given the similarities between this statute and the provisions struck down in the foregoing cases, the Secretary of State does not recommend or support the enforcement of this statute against any petition circulator, especially where the petition circulator agrees to submit to local jurisdiction.

- f. Between **January 9, 2013**, and **January 18, 2013**, each section of the nomination papers shall be delivered to the county elections official of the county in which the signer resides and is a voter. §§ 8063, 10704(a);

January 7, 2013, was the Proclamation date

3. Declaration of Candidacy

- a. The Declaration of Candidacy shall be obtained from, and delivered to, the elections official of the county in which the candidate resides and is a voter. §§ 8040, 8064
- b. Upon request of a candidate, the county elections official shall provide the candidate with a Declaration of Candidacy. The county elections official shall not require a candidate to sign, file, or sign and file a Declaration of Candidacy as a condition of receiving nomination papers. § 8020(d)
- c. The county elections official shall require all candidates filing a Declaration of Candidacy to execute the declaration in his or her office unless the candidate, in a written statement signed and dated by the candidate, designates a third party to obtain the declaration form from the county elections official and deliver it to the candidate. The written statement shall state that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered not later than **January 18, 2013**, to the office of the county elections official from whom it was obtained. Any person may return the completed Declaration of Candidacy. §§ 8028, 10704

F. FOR WRITE-IN CANDIDATES ONLY AND ONLY FOR THE SPECIAL PRIMARY ELECTION<sup>5</sup>

1. Filing Fees

Write-in candidates are not required to pay filing fees. § 8604

2. Nomination Papers

- a. Gather between 40 and 60 signatures for filing the nomination papers. §§ 8062(a)(2), 8600
- b. The candidate may appoint persons to circulate the nomination papers. Circulators shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision. § 8066<sup>6</sup>
- c. Signers must be voters in the district or political subdivision in which the write-in candidate is to be voted on. § 8603

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<sup>5</sup> Write-in candidates can only run in the primary election. A write-in candidate from the primary election is eligible to run/have his or her name on the ballot in the general election if that candidate is one of the top two vote getters at the primary election, unless one candidate receives a majority of the votes (50% +1). (Elections Code §§ 8605, 10705.)

<sup>6</sup> See footnote 4, above.

- d. Between **January 14, 2013**, and **February 26, 2013**, circulate nomination papers for signatures and leave them for examination with the county elections official of the county in which the signers reside. § 8601;

January 7, 2013, was the Proclamation date

3. Statement of Write-In Candidacy

- a. Between **January 14, 2013**, and **February 26, 2013**, file a Statement of Write-In Candidacy. § 8601;

January 7, 2013, was the Proclamation date

- b. The Statement of Write-In Candidacy shall contain the following information:

i. Candidate's name;

ii. Candidate's complete residence address;

iii. A declaration stating that the candidate is a write-in candidate;

iv. The name of the office for which the candidate is running;

v. The date of the election, and

vi. Candidate's 10-year political party preference history.

§§ 8600, 8601, 10704(a)

4. In order to be nominated at the special primary election, the write-in candidate must receive the highest number of votes cast for this office or the second highest number of votes cast for this office, unless there is a tie or a vacancy, or unless another candidate has been elected to the office by winning a majority of the votes.

§§ 8142, 8605, 10705

### III. GENERAL INFORMATION

- A. Each of the forms mentioned above is available free of charge from the county elections official. § 8101

- B. The State Senate has a membership of 40 Senators elected for four-year terms. This election is for the remainder of the term. Cal. Const., art IV, § 2(a)(1)

- C. Because of the requirements of the Political Reform Act, As Amended, a candidate should visit the website of the Fair Political Practices Commission at [www.fppc.ca.gov](http://www.fppc.ca.gov) for the most recent copy of the Information Manual on Campaign Disclosure Provisions of the Political Reform Act, which gives the filing requirements for reporting campaign contributions, etc.

#### IMPORTANT NOTICE

This information sheet of candidate qualifications and procedures is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. The candidate should obtain the most up-to-date information available because of possible changes in law.

# Ballot Designation Worksheet

Candidate Name: \_\_\_\_\_

Office: \_\_\_\_\_

Home Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Business Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number(s) Business: \_\_\_\_\_ Evening: \_\_\_\_\_ Fax: \_\_\_\_\_

Attorney Name (or other person authorized to act in your behalf): \_\_\_\_\_

Address: \_\_\_\_\_

Home Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Business Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number(s) Business: \_\_\_\_\_ Evening: \_\_\_\_\_ Fax: \_\_\_\_\_

**Proposed Ballot Designation:** \_\_\_\_\_

**1<sup>st</sup> Alternative:** \_\_\_\_\_

**2<sup>nd</sup> Alternative:** \_\_\_\_\_

Describe what you do and why you believe you are entitled to use the proposed ballot designation. If using the title of an elective office, you may submit a copy of your certificate of election or appointment.

Job Title: \_\_\_\_\_ Dates in Position: \_\_\_\_\_

Employer Name or Business: \_\_\_\_\_

Person(s) who can verify this information:

Name(s): \_\_\_\_\_ Phone Number: \_\_\_\_\_

Name(s): \_\_\_\_\_ Phone Number: \_\_\_\_\_

Candidate's Signature \_\_\_\_\_ Dated \_\_\_\_\_

You may attach any documents or exhibits that you believe support your proposed ballot designation. These documents will not be returned to you, so **do not submit originals**.



For your reference, the relevant provisions of Elections Code section 13107 are reproduced below:

**13107.** (a) With the exception of candidates for Justice of the State Supreme Court or Court of Appeal, immediately under the name of each candidate, and not separated from the name by any line, unless the designation made by the candidate pursuant to Section 8002.5 must be listed immediately below the name of the candidate pursuant to Section 13105, and in that case immediately under the designation, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior court judge.

(2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior court judge, was appointed to that office.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

(b) Neither the Secretary of State nor any other elections official shall accept a designation of which any of the following would be true:

(1) It would mislead the voter.

(2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.

(3) It abbreviates the word "retired" or places it following any word or words which it modifies.

(4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."

(5) It uses the name of any political party, whether or not it has qualified for the ballot.

(6) It uses a word or words referring to a racial, religious, or ethnic group.

(7) It refers to any activity prohibited by law.

(c) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate's ballot designation worksheet.

(1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a).

(2) In the event the candidate fails to provide a designation that complies with subdivision (a) within the three-day period specified in paragraph (1), no designation shall appear after the candidate's name.

(d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.

(e) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

For your reference, Elections Code section 13107.5 is reproduced below:

**13107.5.** (a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:

(1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.

(2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.

(3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.

(b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

## \*CODE OF FAIR CAMPAIGN PRACTICES

Candidate's Name: \_\_\_\_\_

Office Title: \_\_\_\_\_

Election Date: \_\_\_\_\_

**Elections Code Sec. 20440.** There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold, in order that, after vigorously contested, but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

### THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit such criticism.
- (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Candidate's Signature*

\*This form is **voluntary**. If you choose to file this, please read next page carefully before signing.

# PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

as found in Chapter 5 of Division 20 of the California Elections Code

## Chapter 5. Fair Campaign Practices

### Article 1. General Intent

#### **20400. Intent of legislature.**

The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

### Article 2. Definitions<sup>1</sup>

#### **20420. Definition of "Code".**

As used in this chapter, "Code" means the Code of Fair Campaign Practices.

### Article 3. Code of Fair Campaign Practices

#### **20440. Subscription to code; form.**

At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official, shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee. The text of the code shall read, as follows: (see reverse side.)

#### **20441. Supply of forms.**

The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

#### **20442. Retention of forms; public inspection.**

The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

#### **20443. Public Record**

Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

#### **20444. Voluntary.**

In no event shall a candidate for public office be required to subscribe to or endorse the code.

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#### <sup>1</sup>**304.**

"Campaign advertising or communication" means a communication authorized by a candidate or a candidate's controlled committee, as defined in Section 82016 of the Government Code, or by a committee making independent expenditures, as defined in Section 82031 of the Government Code, or by a committee formed primarily to support or oppose a ballot measure, as defined in Section 82047.5 of the Government Code, for the purpose of advocating the election or defeat of a qualified candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type general, public, political advertising.

#### **305.**

"Candidate for public office" means an individual who has qualified to have his or her name listed on the ballot of any election, or who has qualified to have written votes on his or her behalf counted by election officials, for nomination for, or election to, any state, regional, county, municipal, or district office which is filled at an election. The provisions of this chapter do not apply to candidates for federal office.

# CANDIDATE STATEMENTS OF QUALIFICATIONS GUIDELINES

Candidates for State Senate are allowed to submit a **250-word** Candidate Statement of Qualifications for inclusion in the sample ballot pamphlet. Candidates for State Senate must agree to the voluntary spending limits of Prop 34 and indicate this by checking the appropriate box on Form 501 in order to have a statement in the sample ballot pamphlet.

In addition, all candidates must agree to:

1. Format guidelines and other criteria as explained in this guide.
2. Submit and pay the cost of the statement no later than January 18, 2013.
3. File the statement with the Registrar of Voters of each county in which the jurisdiction appears.

**The statement is not required to be printed in each county. Format and payment may vary by county.**

Please contact each county for guidelines and costs:

County	Contact Information
Riverside	(951) 486-7200
Imperial	(760) 482-4226

<b>FILING PERIOD</b>	The statement shall be filed in the Registrar of Voters Office when nomination documents are returned for filing. <i>E.C.13307 (2)</i>
<b>WHERE</b>	Registrar of Voters Office 5201 Ruffin Road, Suite I San Diego, CA 92123
<b>CONTENTS</b>	The statement may contain the name, age and occupation of the candidate and a brief description of no more than 250 words of the candidate's education and qualifications expressed by the candidate.
<b>CONTENT RESTRICTIONS</b>	Candidate statements shall be limited to a recitation of the candidate's own personal background and qualifications, and <b>shall not in any way make reference to other candidates or to another candidate's qualifications, character, or activities.</b>  The candidate statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. Candidate photographs are not permitted.  The Registrar of Voters shall not print or circulate any statement which violates Election Code sections 13307 or 13308.
<b>EXAMINATION PERIOD</b>	During the 10-calendar-day examination period following the deadline for submission of the statement any voter of the jurisdiction, or the Registrar of Voters, may seek a writ of mandate or an injunction requiring any or all of the material to be amended or deleted.

<b>LIABILITY</b>	Nothing in this section shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the Voter Information Pamphlet.
<b>FORMAT</b>	<p>Candidates are asked to <b>TYPE</b> their statement <b>SINGLE SPACED</b> in <b>BLOCK PARAGRAPHS</b> on a form provided by the Registrar of Voters.</p> <p>The following <b>WILL NOT</b> be permitted:</p> <ul style="list-style-type: none"> <li>◆ Handwritten statement</li> <li>◆ Copy from a fax machine</li> <li>◆ Extra exclamation points</li> <li>◆ Multiple punctuation</li> <li>◆ Lists</li> <li>◆ Stars, bullets, graphics</li> <li>◆ <i>Italics</i>, <b>Bold</b></li> <li>◆ ALL CAPITAL LETTERS</li> <li>◆ <u>Underlines</u></li> <li>◆ Tables</li> </ul> <p>All statements must be submitted on or attached to the candidate statement form provided. San Diego Registrar of Voters encourages you to bring your printed candidate statement in electronic format (i.e. on CD-ROM). STATEMENTS WILL BE TYPESET EXACTLY AS SUBMITTED; candidates are therefore advised to carefully check their statements for errors in spelling, punctuation and grammar. The Registrar of Voters is authorized to make corrections only to the format of the statement.</p>
<b>WITHDRAWAL</b>	The statement may be withdrawn, but not changed, until 5 pm of the next business day after the close of the nomination period.
<b>CONFIDENTIAL</b>	The candidate statements shall remain confidential until the close of the nomination period. (E.C. Sec. 13311)
<b>SPANISH, FILIPINO, VIETNAMESE &amp; CHINESE TRANSLATION</b>	<p>All sample ballot pamphlet text, including candidate statements, are translated into Spanish, Filipino, Vietnamese and Chinese. In addition to receiving an English sample ballot pamphlet, registered voters may also request a pamphlet in Spanish, Filipino, Vietnamese or Chinese.</p> <p>In addition, registered voters who were born in Spanish or Chinese speaking countries, the Philippines, or Vietnam, will also receive a pamphlet in the language of the country in which they were born. This is in compliance with the Federal Voting Rights Act.</p> <p>On Election Day, Spanish sample ballot pamphlets will be available at every polling location. Filipino, Vietnamese and Chinese sample ballot pamphlets will be available at targeted polls throughout the county.</p>
<b>COST</b>	<p>Candidate statements are paid for at the time they are filed. All money is held in a Trust Fund and if, for any reason, the statement is not printed, the money will be refunded.</p> <p>The cost is calculated to recover expenses for translation into four languages, typesetting, printing, addressing, labor and mailing, of the candidate statements.</p> <p>Candidate statements may be paid by check.</p>

# **WORD COUNT**

*(California Elections Code Section 9)*

**Each word is counted as one word except:**

**PUNCTUATION:** Punctuation is not counted.

**TITLES:** Words used in the title of the document, such as "Argument in Favor of Measure A" are not counted.

**CITIES/COUNTIES:** All geographical names shall be counted as one word. Areas that have political boundaries with an elected or appointed board are considered geographic areas by this office. For example, "County of San Diego" and "San Diego Unified School District" shall each be counted as one word.

**ABBREVIATIONS:** Each abbreviation for a word, phrase, or expression shall be counted as one word. **Example:** "PTA" shall be counted as one word.

**HYPHENATIONS:** Hyphenated words that appear in any generally available dictionary shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

**DATES:** Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting of only a combination of digits shall be counted as one word. March 12, 2013 shall be counted as two words, whereas 3/12/13 shall be counted as one word.

**NUMBERS:** Any number consisting of a digit or digits shall be considered as one word. Any number that is spelled, shall be considered as a separate word. "100" shall be counted as one word, whereas "one hundred" shall be counted as two words.

**PHONE & INTERNET:** Website addresses and telephone numbers are one word.

This section shall not apply to counting words for ballot designations under Section 13107.

# EXAMPLE OF AN ACCEPTABLE FORMAT FOR A CANDIDATE STATEMENT OF QUALIFICATIONS

**JURISDICTION NAME IN CAPITAL LETTERS**  
**Division/District/Office No. in Upper & Lower Case**

**JOHN B. CANDIDATE**  
**Dentist/Rancher**

**Age: ##**  
*(Optional)*

**FORMAT/CONTENT:** *This is an example of an acceptable format to be used in a candidate's statement of qualifications. The guidelines for the content of the statement are in a separate section of the Candidate Filing Guide.*

I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1970. I am married and currently have two children attending schools in the district, have a private dental practice and oversee the daily operation and finances of our family-owned cattle ranch.

I own and operate my own dental business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials, I am convinced we can offer quality education to all students within the district. I believe it is time to "tighten our belts" and take a long, hard look at current and future budgets.

I have been active in the P.T.A., served on the Save Our Youth Committee, and am an active member of the All-Faith Church. I have served as Boy Scout Troup Leader for the past 5 years. I also serve as a volunteer at the Community Recycling Center as time allows.

I am looking forward to serving you on the Washington Unified School District Governing Board. Thank you for your vote.

CS-999-9

SD 000-00

# POLITICAL ADVERTISEMENT REQUIREMENTS

(Elections Code Section 20008)

<b>POLITICAL ADVERTISEMENT REQUIREMENTS</b>	Any paid political advertisement which refers to an election or to any candidate for state or local elective office and which is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement." The words shall be set apart from any other printed matter.
<b>DEFINITION</b>	As used in this section "paid political advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.

## MASS MAILING OF CAMPAIGN LITERATURE

<b>REGISTRAR OF VOTERS DUTIES</b>	A copy of Section 84305 of the Government Code (see below) shall be provided by the Registrar to each candidate or his or her agent at the time of filing the declaration of candidacy . . . (E.C. Sec. 16)
<b>PUBLIC EXPENSE</b>	No newsletter or other mass mailing shall be sent at public expense. (Gov. Code Sec. 89001)
<b>DEFINITION</b>	"Mass mailing" means over 200 substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry. (Gov. Code Sec. 82041.5)

## CALIFORNIA GOVERNMENT CODE SECTION 84305

- (a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.
- (b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- (c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

## SIMULATED BALLOT REQUIREMENTS

(Elections Code Section 20009)

- a) Every simulated ballot or simulated sample ballot shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the statement or words or in 10-point roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, the following statement:

<p style="text-align: center;"><b>NOTICE TO VOTERS</b> <b>(Required by Law)</b></p> <p>"This is not an official ballot or an official sample ballot prepared by the county elections official or the Secretary of State. This is an unofficial, marked ballot prepared by _____ (insert name and address of person or organization responsible for preparation thereof)."</p>
---

Nothing in this section shall be construed to require this notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

- b) No simulated ballot or simulated sample ballot referred to in subdivision (a) shall bear any official seal or the insignia of any public official entity, nor shall that seal or insignia appear upon the envelope in which it is mailed or otherwise delivered.
- c) The superior court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof.



# SIGN INFORMATION

## State of California

STATE OF CALIFORNIA-BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN JR., Governor

### DEPARTMENT OF TRANSPORTATION DIVISION OF TRAFFIC OPERATIONS OUTDOOR ADVERTISING PROGRAM



Dear Candidate or Committee Member:

As a candidate or campaign worker for either office or a ballot measure, this reminder about State law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

- A. Encourages a particular vote in a scheduled election.
- B. Is placed no sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
- C. Is no larger than 32 square feet.
- D. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign (Attached).

A completed Statement of Responsibility must be submitted to:

Division of Traffic Operations  
Outdoor Advertising Program  
P.O. Box 942874, MS-36  
Sacramento, CA 94274-0001

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal. We are calling these provisions to your attention to avoid possible embarrassment or inconvenience to you and your supporters. Please share this information with those assisting in your campaign.

Should you have any questions, comments or need additional information, please call (916) 654-5327.

Enclosure

# SIGN INFORMATION (Continued)

## State of California

STATE OF CALIFORNIA-BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN JR., Governor

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF TRAFFIC OPERATIONS  
OUTDOOR ADVERTISING PROGRAM



### STATEMENT OF RESPONSIBILITY FOR TEMPORARY POLITICAL SIGNS

Election Date: \_\_\_\_\_ June \_\_\_\_\_ November \_\_\_\_\_ Other: \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

Office sought or Proposition Number: \_\_\_\_\_

County where sign(s) will be placed: \_\_\_\_\_

Number of signs to be placed: \_\_\_\_\_

#### RESPONSIBLE PARTY:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number (Include Area Code) \_\_\_\_\_

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

It is understood and agreed that any Temporary Political Signs placed sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

SIGNATURE OF RESPONSIBLE PARTY \_\_\_\_\_

DATE \_\_\_\_\_

#### **Mail Statement of Responsibility to:**

Division of Traffic Operations  
Outdoor Advertising Program  
P.O. Box 942874, MS-36  
Sacramento, CA 94274-0001

# SIGN INFORMATION (Continued)

## County of San Diego



## County of San Diego

RICHARD E. CROMPTON  
DIRECTOR

### DEPARTMENT OF PUBLIC WORKS

5500 OVERLAND AVE, SUITE 310  
SAN DIEGO, CALIFORNIA 92123-1295  
(858) 694-2212 FAX: (858) 268-0461  
Web Site: [www.sdcountry.ca.gov/dpw/](http://www.sdcountry.ca.gov/dpw/)

June 1, 2012

Dear Candidate:

### ELECTION POSTER INSTALLATION REQUIREMENTS

The records of the Registrar of Voters indicate that you have filed for election to a public office in the County of San Diego. In the course of your campaign, should you desire to utilize election posters as one of your means of communication with the electorate, it is necessary that you be aware of the conditions under which such signs may be placed within or adjacent to County unincorporated area road right-of-way. Attached for your information is a copy of Policy J-5, "Signage in County Road Rights of Way," adopted by the Board of Supervisors, and amended last on December 9, 2008.

You may apply for a temporary encroachment permit, which has a non-refundable \$110.00 fee, at the Right of Way Permits Counter, 5201-D Ruffin Road, San Diego, CA 92123 or call (858) 694-2055 for information. Attached for your convenience is an encroachment permit application and election poster installation requirements information sheet. A sketch showing the number of election posters and the approximate location of each shall be submitted at the time the application is completed.

All signs placed in the County right-of-way contrary to the provisions of Policy J-5 or remaining after Election Day will be removed by the County of San Diego under the authority of Section 1460 of the California Streets and Highways Code. At the time a permit is applied for, the permittee shall agree to pay the County cost of removal of any such signs.

Your cooperation in complying with the policy and maintaining safe and litter free roadways is appreciated. If you have any questions, please contact the Right of Way Permits Counter at (858) 694-2055.

Sincerely,

A handwritten signature in blue ink that reads "R. E. Crompton".

RICHARD E. CROMPTON  
Director

Attachments

# **SIGN INFORMATION (Continued)**

## **County of San Diego - Policy J-5**

### Purpose

To establish regulations as to the design, construction, and erection of signs in County rights of way.

### Background

The State of California Streets and Highways Code, Chapter 5.5, Division 2, provides the authority for the County Road Commissioner to control signs within the County's rights of way. This authority was granted to assist in roadside cleanup and litter removal programs. The County's Strategic Plan includes a Safe and Livable Communities Initiative. County control of signs in County road rights of way helps keep communities safe and livable by enhancing roadway safety and helping communities in the County retain their character.

### Policy

It is the policy of the Board of Supervisors that:

#### A. Permanent Signs:

##### 1. Eligibility/Purpose:

- a. Signs are permitted in the County rights of way for the purpose of promoting traffic or public safety. Eligibility for directional signs shall be determined by the Director of Public Works in conformity with those regulations found in Section 4-04.13 of the Caltrans Traffic Manual addressing safety. A denial of eligibility may be appealed to the Planning Commission pursuant to Sections 7200-7206 of The Zoning Ordinance.
- b. Public organizations and private organizations, such as bench advertising agencies, are eligible to place transit benches with and without advertising within the County rights of way. However, this policy shall not supersede adopted overlay zones or ordinances (Section 6203(a) of The Zoning Ordinance) which may restrict placement of benches with or without advertising within the County rights of way.

##### 2. Encroachment Permit:

A revocable encroachment permit shall be obtained from the Department of Public Works prior to placement of all signs, benches, shelters, or chairs within the County rights of way.

The County may revoke a permit by giving 30 days notice to remove, in writing, to the permittee. The encroachment permit shall provide that if the sign has not been removed within this period, it may be removed and destroyed by the County at the permittee's expense.

##### 3. Location:

###### a. Destination and Public Safety Signs:

- (1) The location of all signs shall be approved by the Director of Public Works or the Director's representative to ensure traffic safety.
- (2) Signs shall not be permitted within 100 feet of traffic signals or within 100 feet of official directional or regulatory signs (stop, speed, parking, etc.) on any street where such signs are located, or closer than 50 feet to transit loading zone signs.
- (3) A sign may be placed at every decision point on the route to the destination. A minimum spacing of 60 meters between directional signs should be maintained. If there are more eligible destinations at a given intersection than can be accommodated under the above limitations and 3(a) (5) below, they must compete for signs based on traffic volumes to these destinations. Normally, destination signage is via the route requiring the least amount of time to travel from the nearest state highway. Neighborhood Watch signs are exempt from this subsection.
- (4) Signs shall be installed in compliance with all sections of the Vehicle Code and safety laws.
- (5) At locations where three or more directional signs are located within 200 feet, all shall be grouped on single posts and panels not to exceed a total of four destinations.

###### b. Transit Bench and Transit Shelter Advertising Signs:

The placement of transit benches and transit shelters with advertising signs shall be in compliance with Board of Supervisors Policy J-31 and Section 6203(1) of The Zoning Ordinance.

# **SIGN INFORMATION (Continued)**

## **County of San Diego - Policy J-5**

### **4. Construction Designs and Material of Signs:**

#### **a. Destination and Public Safety Signs:**

- (1) All signs shall be of permanent, durable materials, such as porcelain and enamel steel or other acceptable construction and of standard size in accordance with Caltrans standards, except community identification signs at the entrances to cities and towns.
- (2) All signs shall be of standard material, design, shape, size and color (as approved by the Director of Public Works or a representative).
- (3) A 3/8" black border 1/4" from the edge of the sign shall be provided.
- (4) Not more than three lines of copy will generally be permitted with a minimum height of 2-1/4" plain capital block lettering, and all signs shall include an arrow at the bottom of the sign to indicate directions.
- (5) No seals, emblems, or insignia, nor any other color paint will be permitted on signs.
- (6) Posts for signs shall be 4" x 4", S4S, clear redwood, 11 feet long.
- (7) Posts shall be painted with one prime coat and two coats of white lacquer enamel. The bottom 48" of the post shall have in addition one coat of black asphalt paint.
- (8) The bottom of the posts shall be 2'6" below the ground or sidewalk level.
- (9) The sign and post shall be so placed as to minimize the hazard to both pedestrian and vehicular traffic.
- (10) The sign shall be attached to the post with two 5/16" galvanized carriage bolts.

#### **b. Transit Bench and Transit Shelter Advertising Signs:**

Construction, design and materials for transit benches and transit shelters with advertising signs shall be in compliance with Board of Supervisors Policy J-31 and Section 6203(1) of The Zoning Ordinance.

### **5. Illegal Signs:**

Signs placed in the County rights of way contrary to the above provisions are illegal and will be removed by the County and destroyed. However, any signs existing prior to the adoption of this policy will be posted with a removal notice fastened securely to the sign or billboard to notify the owner the date that this sign will be removed by the County if not removed by owner.

### **6. Full Cost Recovery**

Private parties requesting a sign shall pay all costs of processing, construction and installation by the Department of Public Works.

# **SIGN INFORMATION (Continued)**

## **County of San Diego - Policy J-5**

### **B. Temporary Election Campaign Signs:**

1. For purposes of this Policy, Election Campaign Signs shall be defined as signs for elections conducted by the Registrar of Voters.
2. Temporary public election campaign posters may be permitted, subject to the following procedures:
  - a. The Registrar of Voters shall maintain copies of the Board policy relative to election posters and shall issue a copy to each candidate at the time the candidate's petition is issued.
  - b. In order to prevent a danger to motorists and pedestrians due to confusion and distraction, which may be caused due to the posting of signs in certain locations where they compete with traffic safety signs or interfere with visibility, it shall be necessary to obtain a revocable Encroachment Permit from the Director of Public Works.
    - (1) The maximum size of a poster shall be four square feet.
    - (2) The poster shall (on the back) identify the Encroachment Permit number.
    - (3) No sign shall be placed in the right of way earlier than 90 days prior to an election.
    - (4) The permit shall require the signer to obtain permission to place any signs on or attached to the property of others, and shall provide that the permit shall be revoked if the permittee uses the property of others without their permission. Nothing in the permit shall be taken to imply County permission to place signs on property of others.
    - (5) The permit shall require the permittee to remove his/her signs within two weeks after the election for which the permit was issued, and shall authorize the County to remove, without notification, signs not so removed by signer.
    - (6) In each instance and under the same conditions as the Policy permits temporary campaign signs, a sign containing a non-commercial message and constructed to the same physical dimensions and characteristics shall be permitted.
    - (7) The County shall charge for sign removal and the permittee shall, in signing his/her permit, agree to pay for County cost of removal of his/her signs.

### Sunset Date

This policy will be reviewed for continuance by 12-31-11.

### Board Action

10-18-65 (9)

### County Engineer Letter 1-14-66

01-25-66 (86)  
06-23-69 (98)  
07-24-79 (41)  
10-6-82 (56)  
12-4-84 (14)  
07-26-88 (43)  
12-12-89 (49)  
05-18-94 (3)  
07-14-99 (4)  
05-15-02 (3)  
09-18-02 (5)  
06-18-03 (9)  
06-23-04 (12)  
12-09-08 (33)

### CAO Reference

1. Department of Public Works
2. Department of Planning and Land Use

# SIGN INFORMATION (Continued)

## County of San Diego

### APPLICATION TO ENCROACH UPON COUNTY HIGHWAY

GOVERNED BY CHAPTER 6, DIVISION 1  
TITLE 7 OF SAN DIEGO COUNTY CODE

DATE \_\_\_\_\_

FOR COUNTY USE ONLY
CHARGE TO _____
DEPOSIT _____
FEE _____
TOTAL _____
PERMIT #N _____

**COUNTY OF SAN DIEGO**  
**DEPARTMENT OF PUBLIC WORKS**  
5201 RUFFIN ROAD, SUITE D, MS-0336  
SAN DIEGO, CA 92123  
**PHONE: (858) 694-2055 • FAX: (858) 279-7020**

THOMAS BROTHERS			
YEAR	PAGE	COORD.	

Owner/Permittee \_\_\_\_\_ Telephone (      ) \_\_\_\_\_  
*Last Name**First*

Mailing Address \_\_\_\_\_  
*Street**City**State**Zip Code*

Contact Name \_\_\_\_\_ FAX # and/or e-mail address \_\_\_\_\_ Telephone \_\_\_\_\_

Location of encroachment \_\_\_\_\_  
*Street**City*  
APN # \_\_\_\_\_

☐ Driveway    ☐ Fencing    ☐ Political Signs    ☐ Scaffolding    ☐ Storage    ☐ Yard    ☐ Other

Describe \_\_\_\_\_  
\_\_\_\_\_

Will encroachment interfere with the public use and maintenance of:

Travelled way?    ☐ Yes    ☐ No    Side path or sidewalk?    ☐ Yes    ☐ No  
Shoulder or parking lane?    ☐ Yes    ☐ No    Drainage structure or watercourse?    ☐ Yes    ☐ No

Justification for Encroachment \_\_\_\_\_

Permit requested: ☐ 1 day    ☐ 3 days    ☐ 10 days    ☐ Indefinite    ☐ \_\_\_\_\_ days    Effective date \_\_\_\_\_ 12:01 a.m.

#### AGREEMENT

In consideration of the granting of this permit, the applicant agrees:

1. "I hereby agree as a condition of the granting of this permit to provide defense and indemnification in accordance with Section 71.103 of the San Diego County Code in language to be included in the issued permit as follows or to the effect of the following: Permittee agrees to indemnify, hold harmless and defend the County and each of its officers and employees from any liability or responsibility for accident, loss or damage to persons or property arising by reason of the work done by permittee, or permittee's agents, employees or representatives."
2. To comply with all applicable laws in the establishment, maintenance and removal of the encroachment.
3. That the permittee and any other person engaged in any work authorized by this permit shall conform to all due safety precautions for the protection of persons and property.
4. To remove or relocate any encroachment placed, changed or renewed under the authority of this permit; prior to its expiration or within 24 hours of notification to remove, if the duration is 10 days or less; or within 5 day of notification to remove, if the permit is of indefinite duration.
5. After removing or relocating the encroachment, to restore the highway to the equivalent or better condition than it was prior to the date this permit became effective, or prior to the date the encroachment was first placed, whichever is earlier.

"I declare under penalty of perjury under the laws of the State of California that the statements made herein are true and correct."

Signed \_\_\_\_\_  
*Owner's Signature**Date*

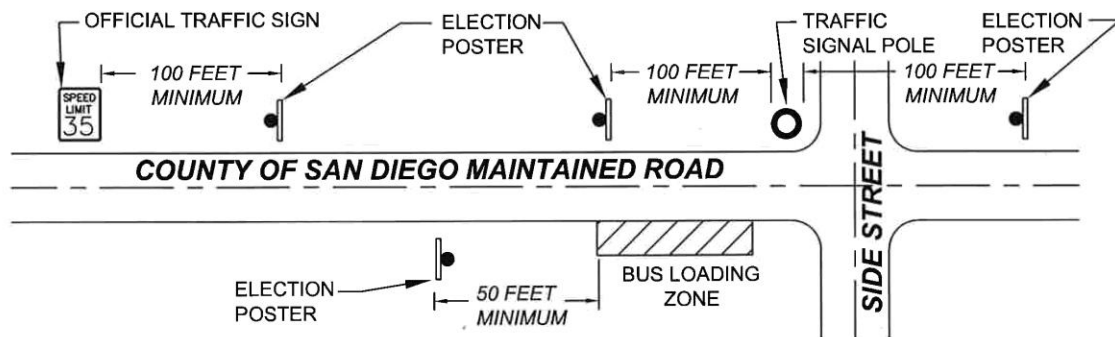
# SIGN INFORMATION (Continued)

## County of San Diego

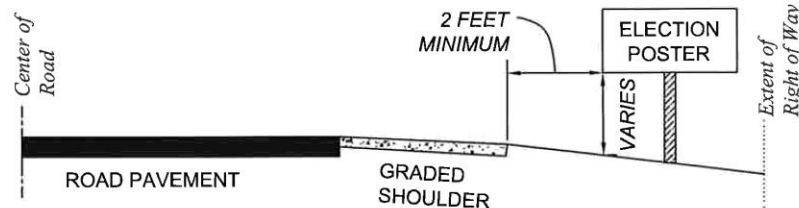
### ELECTION POSTER INSTALLATION REQUIREMENTS

#### Instructions to Permittee:

1. Election Posters placed in the County of San Diego's Public Road Right of Way shall be positioned in accordance with the below drawings. Posters shall not be installed within roadway medians. Posters shall not interfere with sight distance from intersecting side streets, driveways, and alleys.
2. Election Posters shall only be placed on wood posts or wood stakes having a cross-section equal to or less than 4 inches by 4 inches. Permittee shall contact DigAlert by calling 811 prior to installing stakes or posts to insure no utility conflicts. Election posters shall not be fastened to any traffic signal poles, traffic signal cabinets, flasher poles, official traffic sign posts, street light poles, utility boxes and utility poles within the County of San Diego public road right of way.
3. Number of Election Posters and location of each poster shall conform to information furnished at time of issuance of encroachment permit.



#### POSITION WITH RELATION TO DIRECTION OF TRAFFIC



#### STANDARD ROADWAY LOCATION FOR ELECTION POSTERS

